

CITY OF MUSKEGON  
**MUSKEGON HOUSING BOARD OF APPEALS**  
MEETING MINUTES  
March 6, 2014  
5:30 PM

ATTENDANCE: Mr. Mackie, Mr. Borgman, Mr. Simmons, Mr. Turnquist, Mr. Krick, Mr. Arthur

ABSENT: Mr. Kolberg

STAFF: H. Mitchell; D. Renkenberger; Chief J. Lewis; K. Briggs, SafeBuilt

OTHERS: W. German & J. German, 1240 Sanford

**Meeting minutes:**

A motion to approve the regular meeting minutes of December 5, 2013 was made by R. Mackie, supported by W. Krick and unanimously approved.

**Election of Officers:**

A motion to nominate G. Borgman as Chairperson was made by E. Simmons, supported by R. Mackie and unanimously approved.

A motion to nominate W. Krick as Vice-Chairperson was made by E. Simmons, supported by R. Mackie and unanimously approved.

**Dangerous Buildings:**

**EN130142 – 1240 Sanford (Garage Only) – David & Sandra Capps, 917 Lawndale Rd., Ludington, MI 49431.**

During the regular rental inspection process for this property, the inspector noted that the garage roof was deteriorating and needed to be repaired or replaced on 10/25/2012. While the Code Compliance Inspector was still inspecting the property for their certificate of compliance, he found on 7/24/2013 that the south side of the roof had been re-roofed without a permit. He noted on his defect list that the work must stop and SAFEbuilt would need to perform a complete inspection to determine what would need to be done. The inspector informed SAFEbuilt about the work that had been done on the garage without a permit. SAFEbuilt began pursuing the work that was done without a permit. A report of the process for the No Permit Enforcement, EN130137, was provided to the board members along with any inspection notes. As of 2/21/2014 no permit had been obtained.

H. Mitchell advised board members that the property had recently been purchased by W. German and J. German. It would be owner-occupied, not a rental. W. German requested that the board allow him some time to have the garage inspected to see if it would be worth

repairing. B. Turnquist asked what kind of repairs were needed, and W. German explained the defects. K. Briggs stated that there were past issues with work being done without permits, and they were in the process of resolving those with the new owners. He stated that when the weather improved, he would have his staff inspect the property to determine a list of defects, and if the garage was repairable.

A motion to table this case until the June meeting to give the new homeowner and SAFEbuilt time to evaluate the condition of the garage, was made by R. Mackie, seconded by B. Arthur and unanimously approved.

**EN130209 – 1265 Holt – Carlos Carson & Andrea Robar, 704 Catherine Ave, Muskegon, MI 49442.**

This home was damaged by fire. A fire inspection was performed by SAFEbuilt on 5/15/2013 and a list of items needing repair was provided to the owner. As time progressed, no permits were applied for. On 9/12/2013, a Notice & Order was mailed out and the owner applied for a permit on 10/10/2013 to do repairs from the fire inspection. SAFEbuilt requested a blueprint showing the front porch repairs; they also needed the energy code information from the windows (this is usually a sticker on the window or a leaflet in the box). There has been no response from the letter of 10/18/2013 requesting those items. Due to lack of contact with the homeowners and no work being done, the Building Official asked that this proceed to be declared as a dangerous building as of 2/19/2014.

H. Mitchell and K. Briggs both confirmed that they still had no contact from the homeowners.

A motion to declare the structure substandard, dangerous and a public nuisance was made by R. Mackie, seconded by E. Simmons, and unanimously approved.

**EN130222 – 912 E Isabella – James Crawford, 912 E Isabella, Muskegon, MI 49442.**

On 2/2/2012, Henry Faltinowski (Building Inspector) had inspected this property due to a storm knocking down a tree and creating structural damage to the roofing system. His report had stated:

*Structural Damage Open Roof System.*

*1. All repairs made due to tree damage and open roof structure must meet Michigan Residential code, energy code and lead based paint renovations. This includes any electrical, plumbing and mechanical repairs.*

*Some repairs could require complete upgrades to MRC 2009 code.*

Nothing had been done to repair the roof. There is currently a tarp being used to cover the home's roof. On 9/20/2013, a letter was sent to the owner requesting that they contact SAFEbuilt for an inspection. The letter was returned unsigned, but Mrs. Crawford did call that same day and spoke to Debi (Permit Tech.) and said she would call to set up an inspection the following week, once she knew her work schedule. Debi had obtained a current address for Mrs. Crawford, as no one is living in the home and no mailing address changes had been made. On 11/19/2013 a Notice & Order was sent with no contact.

A motion to declare the structure substandard, dangerous and a public nuisance was made by R. Mackie, seconded by W. Krick, and unanimously approved.

**EN130296 – 1141 Jefferson – NC Assets Inc., 1900 The Exchange SE Suite 410, Atlanta, GA 30339.**

The Code Compliance Inspector had started inspecting this house as a rental. The people that were living there stated they were purchasing the home on a Land Contract. The Land Contract was not recorded or supplied to the Muskegon County Assessor's Office, so the inspector continued to try and inspect for a rental. He took many pictures of the exterior while inspecting. One of the neighbors had been in contact with staff, and had been inside the home and taken some pictures, which were supplied to staff. The inspection list had been provided. The Police were called to the location on 11/19/13, finding the home vacant and unsecured. They also noted in their report that the inside of the home had filth and garbage, and exposed or unsafe wiring. The owner has received the Notice & Order and no contact had been received from them.

A motion to declare the structure substandard, dangerous and a public nuisance was made by E. Simmons, seconded by R. Mackie and unanimously approved.

**Other:**

Southern Avenue – E. Simmons asked about the status of the home on W. Southern Avenue that was being torn down by the owner. He noted that they had started the demolition, but no work had been done in a while. K. Briggs stated that they did obtain a permit to demolish the house, but it was due to expire in a couple months, at which time SAFEbuilt could take further action.

1095 First St. – G. Borgman stated that the door was standing open at this house, and he had reported it to the police department.

1780 Jarman – J. Lewis stated that the owner of this property, L. Jones, had come to the City Commission meeting to request additional time to fix the defects on this house. She has put money into it, and has spoken to Kirk Briggs about permits. K. Briggs stated that he had been in the house, and it is not likely to deteriorate further at this point. The next project is siding, which will improve the looks of the house. He asked that the HBA set a timeline for completion of the work to ensure that repairs moved along. J. Lewis explained L. Jones's presentation to City Commission and stated that the Commission was being asked to refer the case back to the HBA for their approval to approve a timeline so the work may continue. This is on the agenda for the City Commission meeting of March 11, 2014. B. Turnquist asked where the finances were coming from, to do the work that was required. J. Lewis stated that L. Jones was waiting on her tax returns. He also stated that, since there was a property owner who was still interested in saving the house, he preferred to focus resources on houses that had been abandoned.

**ADJOURNMENT:**

**6:11 PM**